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RUEHZG/NATO EU COLLECTIVE
RUCNUNP/UN PEACEBUILDING COMMISS COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBW/AMEMBASSY BELGRADE 0001
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SUBJECT: INDIA CLINGING TO UNSCR 1244 REGARDING KOSOVO
INDEPENDENCE

REF: SECSTATE 91908

¶1. (SBU) PolOffs delivered reftel demarche on the "Kosovo/International Court of Justice (ICJ) Resolution at UNGA" to Ministry of External Affairs Director (Central Europe) M. Sevala Naik on September 03. Naik responded by referring to India's "long-standing policy" on recognizing states based on the UN charter, adding that in the case of Kosovo, India also views the issue under the rubric of UNSCR ¶1244. Therefore, he indicated, the GOI does not believe Kosovo has met the criteria of independent statehood at this time. Poloff pressed on the specific issue of whether India would oppose Serbia's move to refer the question of Kosovo's independence to the ICJ for an opinion, but Naik repeatedly refused to commit, simply stating that the GOI will support the decision of UNGA.

¶2. (SBU) Comment. Kosovo's declaration of independence poses a challenge for India, pitting New Delhi's natural reluctance at taking a stand on such issues against the existential question that recognition of separatist regimes poses for India because of Kashmir. While Post expects India will continue to not recognize Kosovo until it has achieved a formal UN endorsement, we believe India would equally be loathe to supporting the ICJ referral, given - as alluded to in reftel - India's concerns over implications of an ICJ opinion on its own territorial integrity. With Naik admitting that India has yet to formulate its position on the ICJ referral from UNGA, Post notes that India's voting position is routinely decided in New York, and suggests that we continue to engage on this issue in both New Delhi and New York.
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